

# DELAWARE STATE BOARD OF EDUCATION

The Townsend Building  
401 Federal Street, Suite 2  
Dover, Delaware 19901

## Meeting Minutes DRAFT

Department of Education, Cabinet Room  
Dover, DE 19901  
October 25, 2018  
5:00 P.M.

**Members Present:** Nina Lou Bunting, Candice Fifer, Vincent Lofink, Dr. Audrey Noble, Wali Rushdan II, Whitney Sweeney, Dr. Terry Whittaker

**Members Absent:** None

**Others Present:** Dr. Susan Bunting, Secretary of Education and State Board of Education (SBE) Executive Secretary; Jenna Ahner, SBE Executive Director; Rick Lane, PSB/SBE Administrative Assistant; Catherine Hickey, Deputy Attorney General, representing the DOE; Laura Makransky, Deputy Attorney General, representing DIAA; Theresa Bennett, DOE; John Marinucci, DSBA; Deb Stevens, DSEA; Tammy Croce, DASA; Bradley Layfield, DIAA; Thomas Neubauer, DIAA; Gary Cimaglia, DIAA; Larry Linaweaver, DOE; Lee Dean, DOE; Bliss Holcomb, DOE; Mario Villafranca, College Board; Bridgette Boody, Rodel; Gwendolyn Spence; Jackie Poore; Chris Poore; Katherine Carello; Lydia Poore; David Chee; Karen Leong; Nicole Chee; Gavin Chee; Cheryl Weichs; Jack Degnars; Jessica Tyler

### I. Opening

A. Call to Order: Whitney Sweeney called the meeting to order at 5:00 p.m.

B. Roll Call

Rick Lane conducted roll call for the meeting with 7 members present (Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

C. Approval of Agenda

A motion was made by Nina Lou Bunting and seconded by Wali Rushdan II to approve the October 25, 2018 agenda. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

D. Approval of Minutes for September 20, 2018 and September 28, 2018

A motion was made by Vince Lofink and seconded by Wali Rushdan II to approve the September 20, 2018 minutes as presented. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

A motion was made by Vince Lofink and seconded by Wali Rushdan II to approve the September 28, 2018 Board training minutes as presented. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

## II. State Board Business

### A. Committee Reports

Board members provided updates on recent committee participation. Whitney Sweeney provided an update on her participation on the UD Board of Trustees and the P-20 Council. Vince Lofink provided an update on the SBE Committee to Develop the Selection Process for the Student Board Member. The committee will recommend a timeline and process to the Governor's Office. Vince provided an update on the Delaware School Boards Association Legislative Committee and the charter school public hearings held on October 9 and October 15. Audrey Noble provided an update on the DPAS II Advisory Committee and Charter School Accountability Committee and her participation in the NASBE Conference. Candice Fifer provided an update on the NASBE Conference. Nina Lou Bunting provided an update on the Teacher of the Year Selection Committee and Teachers' Advisory Committee. Wali Rushdan II provided an update on the charter school public hearings held on October 16. Jenna Ahner provided an update on the SCR69 Drug Prevention Task Force.

A motion was made by Nina Lou Bunting and seconded by Vince Lofink to approve Jenna Ahner as the Board representative on the SCR69 Drug Prevention Task Force. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

### B. HB455 Implementation Update

A motion was made by Vince Lofink and seconded by Wali Rushdan II to approve the composition and submission of a memorandum to the Joint Legislative Oversight and Sunset Committee by Jenna Ahner and Whitney Sweeney that will provide updates on the Board's work, including membership, leadership, staff, rotation of meetings, and policies and procedures. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

### C. SBE Position on DSBA Legislative Priorities

Whitney Sweeney shared that the State Board of Education is a voting member of DSBA and that Vince Lofink represents the State Board at DSBA Board of Directors meetings. On November 7, the DSBA Board of Directors will vote on legislative priorities for the upcoming year. The State Board discussed DSBA's draft priorities with the purpose of establishing a Board position for each of the draft priorities. The Board established that Board positions on these matters are for the purpose of voting on the DSBA legislative priorities and do not represent the State Board's legislative priorities.

#### 1. State Student-based Unit Funding System

The Board discussed the school funding system and the benefits of providing additional funding for K-3 special education, low income students, and English learners.

A motion was made by Audrey Noble and seconded by Vince Lofink to assent to DSBA Legislative Priority #1. ***The motion carried*** (6 Yes to 0 No with 1 Abstention – Bunting, Fifer, Lofink, Noble, Sweeney, and Whittaker, Mr. Rushdan abstained).

2. School Safety and Security

The Board discussed the importance of school safety and security.

A motion was made by Vince Lofink and seconded by Candice Fifer to assent to DSBA Legislative Priority #2. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

3. Mental and Behavioral Health Services

The Board discussed the benefits of additional mental and behavior health services for students.

A motion was made by Nina Lou Bunting and seconded by Candice Fifer to assent to DSBA Legislative Priority #3. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

4. Pre-Kindergarten Supports

The Board discussed the benefits of pre-kindergarten supports.

A motion was made by Vince Lofink and seconded by Nina Lou Bunting to assent to DSBA Legislative Priority #4. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

5. Adequate State Funding

The Board discussed its role in representing the state education system.

A motion was made by Vince Lofink and seconded by Audrey Noble to take no position on DSBA Legislative Priority #5. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

6. Local District Authority

The Board discussed their role in representing the state education system.

A motion was made by Vince Lofink and seconded by Wali Rushdan II to take no position on DSBA Legislative Priority #6. ***The motion carried*** (6 Yes to 0 No with 1 abstention– Bunting, Fifer, Lofink, Rushdan, Sweeney, and Whittaker. Dr. Noble abstained).

### III. Presentation

Whitney Sweeney provided an overview of the 2018 School Bus Safety Poster Contest. Larry Linaweaver presented the three winners of the contest. Winners included Nicole Chee, Lydia Poore, and Madelyn Degnars.

#### **IV. State Board Business (continued)**

##### **A. Executive Director's Report**

Jenna Ahner provided an update on recent activities in her office.

#### **V. Secretary's Report**

Dr. Bunting provided her monthly report highlighting the Department's work and visits within the past month.

#### **VI. Presentation**

Theresa Bennett provided an overview of the assessment process in Delaware.

#### **VII. Department of Education Regulations**

Thomas Neubauer, Bradley Layfield, and Gary Cimaglia presented Regulation 1008 DIAA Junior High School and Middle School Interscholastic Athletics (for Action) and Regulation 1009 DIAA High School Interscholastic Athletics (for Action). The Board discussed the proposed regulations.

A typographical error was noted in section 2.4.1. The sentence should read "...and there is no safety [risk] to teammates or competitors."

A motion to approve the Regulation 1008 – DIAA Junior High School and Middle School Interscholastic Athletics as amended was made by Vince Lofink and seconded by Nina Lou Bunting. *The motion carried* (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

A motion to approve the Regulation 1009 – DIAA High School Interscholastic Athletics as presented was made by Vince Lofink and seconded by Nina Lou Bunting. *The motion carried* (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

#### **VIII. Professional Standards Board**

Whitney Sweeney shared that Regulation 1517 – Paraeducator Permit is currently out for Publication in the Register of Regulations for the month of October. Public comment can be provided by October 31 to Mr. Chris Kenton, Executive Director, Professional Standards Board.

#### **IX. Charter Schools**

John Carwell provided an update on the Delaware Academy of Public Safety and Security, Sussex Montessori Academy Minor Modification, and the grant award from the U.S. Department of Education Charter Schools Program.

#### **X. Formal Public Comment**

None

#### **XI. Appeals and Reviews**

##### **A. Student v. Laurel School District (for Action)**

A motion to move to executive session for discussion of confidential information was made by Nina Lou Bunting and seconded by Wali Rushdan II. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

Valerie Dunkle, Deputy Attorney General, provided the Board with information on this student appeal.

A motion to return to public session was made by Nina Lou Bunting and seconded by Terry Whittaker. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

The Board recommended that future decisions of the Laurel School District explicitly state the basis for the specific length of expulsion.

A motion to adopt the recommendation of the hearing officer as the decision of the Board in the case of Student v. Laurel School District was made by Wali Rushdan II and seconded by Vince Lofink. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

B. Student v. Delaware Design Lab (for Action)

A motion to move to executive session for discussion of confidential information was made by Nina Lou Bunting and seconded by Audrey Noble. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

Valerie Dunkle, Deputy Attorney General, provided the Board with information on this student appeal.

A motion to return to public session was made by Nina Lou Bunting and seconded by Candice Fifer. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

A motion to uphold and adopt the recommendation of the hearing officer as the decision of the Board in the case of Student v. Delaware Design Lab was made by Wali Rushdan II and seconded by Vince Lofink. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

C. Student v. Smyrna School District (for Information)

A motion to move to executive session for discussion of confidential information was made by Wali Rushdan II and seconded by Vincent Lofink. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

Valerie Dunkle, Deputy Attorney General, provided the Board with an update on student appeals.

A motion to return to public session was made by Vincent Lofink and seconded by Terry Whittaker. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

## **XII. State Board Preliminary Goal-setting**

Whitney Sweeney discussed the need for Board goal-setting. She asked the Board to review past State Board annual reports and strategic plans. She asked the Board to share their top three ideas for Board priorities with Jenna Ahner for discussion at the next meeting.

## **XIII. Adjournment**

A motion to adjourn was made by Vincent Lofink and seconded by Nina Lou Bunting. ***The motion carried*** (7 Yes to 0 No – Bunting, Fifer, Lofink, Noble, Rushdan, Sweeney, and Whittaker).

The meeting adjourned at 8:48 p.m.

*Digital recordings of the meeting can be found in the “audio recordings” section of the State Board of Education’s website.*

Respectfully Submitted,

Susan S. Bunting, Ed.D.  
Executive Secretary and  
Secretary of Education